

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

Translation

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

		Date of mailing (day/month/year) See form PCT/ISA/210
Applicant's or agent's file reference P 43188 WO		FOR FURTHER ACTION See paragraph 2 below
International application No. PCT/EP2004/009528	International filing date (day/month/year) 16.09.2004	Priority date (day/month/year) 16.09.2003
International Patent Classification (IPC) or both national classification and IPC B41F15/08, B41F15/36		
Applicant THIEME GMBH & CO. KG		

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/EP	Authorized officer
Facsimile No.	Telephone No.

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Box No. I Basis of this opinion	
<p>1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.</p> <p><input type="checkbox"/> This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).</p>	
<p>2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:</p> <p>a. type of material</p> <p><input type="checkbox"/> a sequence listing</p> <p><input type="checkbox"/> table(s) related to the sequence listing</p> <p>b. format of material</p> <p><input type="checkbox"/> in written format</p> <p><input type="checkbox"/> in computer readable form</p> <p>c. time of filing/furnishing</p> <p><input type="checkbox"/> contained in the international application as filed.</p> <p><input type="checkbox"/> filed together with the international application in computer readable form.</p> <p><input type="checkbox"/> furnished subsequently to this Authority for the purposes of search.</p>	
<p>3. <input type="checkbox"/> In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.</p>	
<p>4. Additional comments:</p>	

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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement																			
<p>1. Statement</p> <table> <tr> <td align="center">Novelty (N)</td> <td>Claims <u>9</u></td> <td align="center">YES</td> </tr> <tr> <td align="center"></td> <td>Claims <u>1-8, 10</u></td> <td align="center">NO</td> </tr> <tr> <td align="center">Inventive step (IS)</td> <td>Claims _____</td> <td align="center">YES</td> </tr> <tr> <td align="center"></td> <td>Claims <u>1-10</u></td> <td align="center">NO</td> </tr> <tr> <td align="center">Industrial applicability (IA)</td> <td>Claims <u>1-10</u></td> <td align="center">YES</td> </tr> <tr> <td align="center"></td> <td>Claims _____</td> <td align="center">NO</td> </tr> </table>		Novelty (N)	Claims <u>9</u>	YES		Claims <u>1-8, 10</u>	NO	Inventive step (IS)	Claims _____	YES		Claims <u>1-10</u>	NO	Industrial applicability (IA)	Claims <u>1-10</u>	YES		Claims _____	NO
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Industrial applicability (IA)	Claims <u>1-10</u>	YES																	
	Claims _____	NO																	
<p>2. Citations and explanations:</p> <p>1 The present opinion makes reference to the following documents:</p> <p>D1: US 6 041 702 A (ICHIKAWA RYUJI ET AL) 28 March 2000 (2000-03-28)</p> <p>D2: FR 2 071 466 A (DARGOLS BERNARD) 17 September 1971 (1971-09-17)</p> <p>D3: US 5 282 416 A (CURTIN MARK) 1 February 1994 (1994-02-01)</p> <p>D4: GB 510 788 A (CHARLES ASHTON LISTER; GEORGE HADLOW TILLETT) 8 August 1939 (1939-08-08)</p> <p>D5: GB 593 582 A (ALBAN JOSEPH ROBERTS) 21 October 1947 (1947-10-21)</p> <p>D6: FR 1 584 995 A (BERNARD DARGOLS) 9 January 1970 (1970-01-09)</p> <p>2 CLARITY</p> <p>The application does not meet the requirements of PCT Article 6 because claims 1, 2, 8, 10 are not clear.</p> <p>2.1 It is apparent from the description on page 2, lines 9-10, 21-28 and page 4, lines 26, 27 that the following feature is essential for the definition of the invention:</p>																			

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"Means (slotted guide track + roller or control unit + actuators) for the coordinated movement of the printing unit and the doctor blade"

As independent claims 1, 10 do not contain this feature, they do not meet the requirement of PCT Article 6 in conjunction with PCT Rule 6.3(b) that each independent claim must include all the technical features essential to the definition of the invention.

2.2 It is not clear whether and to what extent "for" in the claims restricts the subject matter.

For example

"for screen printing", "for fastening a doctor blade",
"for an object which is to be printed" [claim 1]
"for actuating the actuators" [claim 8]
"for printing curved surfaces" [claim 10]

2.3 The attempt is made in the claims to define the invention by way of features which relate to the use of the object to be printed.

For example

"an object to be printed" [claim 2]
"as a function of a surface geometry of an object to be printed" [claim 8]
"curved surfaces" [claim 10]

2.4 It is not clear in the claims whether the apparatus, preferably the doctor-blade holder (16), comprises the doctor blade (44) or whether the doctor blade is an external object.

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2.5 For the further processing of the present application, the features which do not meet the requirements of PCT Article 6 have been deleted and not considered.

3 INDEPENDENT CLAIM 1

3.1 The present application does not meet the requirements of PCT Article 33(1) because the subject matter of claim 1 is not novel within the meaning of PCT Article 33(2).

Document D1 discloses (the references between parentheses apply to this document):

an apparatus ~~for screen printing~~ having a contact surface (4) ~~for an object to be printed~~ and a printing unit (9, 10, 30, 31), at least comprising a printing-unit frame (30) and a doctor-blade holder (10) which extends within the printing-unit frame (30) in a transverse direction and is guided such that it can be displaced in a longitudinal direction in the printing-unit frame (30) ~~for fastening a doctor blade~~, the printing unit being arranged such that it can move at least in a plane which extends perpendicularly with respect to the contact surface (4) and parallel to the longitudinal direction, and means (12, 13, 14, 15, 18, 21, 41, 42) being provided ~~for the coordinated movement of the printing unit and the doctor blade holder~~.

3.2 In view of documents D2-D6, the present application also does not meet the requirements of PCT Article 33(1) because the subject matter of claim 1 is not novel and does not involve an inventive step within the meaning of

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PCT Article 33(2) and 33(3), respectively.

4 INDEPENDENT CLAIM 10

4.1 The present application does not meet the requirements of PCT Article 33(1) because the subject matter of claim 10 is not novel within the meaning of PCT Article 33(2).

Document D1 discloses (the references between parentheses apply to this document):

a screen printing method ~~for printing curved surfaces,~~
~~having the steps of reading in a surface contour of an~~
~~object to be printed and orienting a printing unit (9,~~
10, 30, 31) during a printing process in such a way that a screen frame is held ~~constantly tangentially with~~
~~respect to the object to be printed during a printing~~
~~movement of a doctor blade in an imaginary contact line~~
~~between the doctor blade and the object to be printed.~~

4.2 In view of documents D2-D5, the present application also does not meet the requirements of PCT Article 33(1) because the subject matter of claim 10 is not novel and does not involve an inventive step within the meaning of PCT Article 33(2) and (3), respectively.

5 DEPENDENT CLAIMS 2-9

5.1 Dependent claims 2-9 do not appear to contain any additional features which, in combination with the features of any claim to which the said claims refer back, could lead to a subject matter which involves an inventive step. All these features are known per se or

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belong to the prior art and have already been used for the same purpose (cf. the corresponding citations of the international search report). Otherwise, these features merely relate to **structural embodiments** which solve independent problems, without any surprising effects resulting from their combination.